

CHAPTER 44
CONTINUING EDUCATION FOR CHIROPRACTIC PHYSICIANS

[Prior to 7/24/02, see 645—Ch 43]

645—44.1(151) Definitions. For the purpose of these rules, the following definitions shall apply:
“*Active license*” means the license of a person who is acting, practicing, functioning, and working in compliance with license requirements.

“*Administrator*” means the administrator of the board of chiropractic examiners.

“*Approved program/activity*” means a continuing education program/activity meeting the standards set forth in these rules, which has received advance approval by the board pursuant to these rules.

“*Approved sponsor*” means an organization, educational institution or person sponsoring continuing education activities that has been approved by the board as a sponsor pursuant to these rules. During the time an organization, educational institution, or person is an approved sponsor, all continuing education activities of such organization, educational institution, or person shall be deemed automatically approved.

“*Audit*” means the selection of licensees for verification of satisfactory completion of continuing education requirements during a specified time period or the selection of providers for verification of adherence to continuing education provider requirements during a specified time period.

“*Board*” means the board of chiropractic examiners.

“*Continuing education*” means planned, organized learning acts acquired during licensure designed to maintain, improve, or expand a licensee’s knowledge and skills in order for the licensee to develop new knowledge and skills relevant to the enhancement of practice, education, or theory development to improve the safety and welfare of the public.

“*Hour of continuing education*” means a clock hour spent by a licensee in actual attendance at and completion of approved continuing education activity.

“*Inactive license*” means the license of a person who is not engaged in practice in the state of Iowa.

“*Lapsed license*” means a license that a person has failed to renew as required, or the license of a person who has failed to meet stated obligations for renewal within a stated time.

“*License*” means license to practice.

“*Licensee*” means any person licensed to practice as a chiropractic physician in the state of Iowa.

645—44.2(272C) Continuing education requirements.

44.2(1) The biennial continuing education compliance period shall extend for a two-year period beginning on July 1 of each even-numbered year and ending on June 30 of each even-numbered year two years later. Each biennium, each person who is licensed to practice as a licensee in this state shall be required to complete a minimum of 60 hours of continuing education approved by the board.

44.2(2) Continuing education credit earned from January 1, 2002, through June 30, 2002, may be used for either the July 2002 compliance period or the following biennial compliance period. The licensee may use the continuing education credit hours earned only once. Credit may not be duplicated for both compliance periods. This subrule applies only for the renewal biennium of 2002 and the following renewal biennium.

44.2(3) Requirements of new licensees. Those persons licensed for the first time shall not be required to complete continuing education as a prerequisite for the first renewal of their licenses. Continuing education hours acquired anytime from the initial licensing until the second license renewal may be used. The new licensee will be required to complete a minimum of 60 hours of continuing education per biennium for each subsequent license renewal.

44.2(4) Hours of continuing education credit may be obtained by attending and participating in a continuing education activity. These hours must be approved by the board or otherwise meet the requirements herein pursuant to statutory provisions and the rules that implement them.

44.2(5) No hours of continuing education shall be carried over into the next biennium except as stated in subrules 44.2(2), 44.2(3), and 44.3(2)“a”(3).

44.2(6) It is the responsibility of each licensee to finance the cost of continuing education.

645—44.3(151) Standards for approval.

44.3(1) General criteria. A continuing education activity which meets all of the following criteria is appropriate for continuing education credit if it is determined by the board that the continuing education activity:

- a. Constitutes an organized program of learning which contributes directly to the professional competency of the licensee;
- b. Pertains to subject matters which integrally relate to the practice of the profession;
- c. Is conducted by individuals who have specialized education, training and experience by reason of which said individuals should be considered qualified concerning the subject matter of the program. The board may request the qualifications of presenters;
- d. Fulfills stated program goals, objectives, or both; and
- e. Provides proof of attendance to licensees in attendance including:
 - (1) Date(s), location, course title, presenter(s);
 - (2) Number of program clock hours (One clock hour equals one hour of continuing education credit.); and
 - (3) Official signature or verification by program sponsor.

44.3(2) Specific criteria.

- a. Continuing education hours of credit shall be obtained by completing:
 - (1) At least 36 hours of continuing education credit obtained from a board-approved program that relates to the clinical practice of chiropractic.
 - (2) A minimum of two hours per biennium in professional boundaries regarding ethical issues related to professional conduct that may include but are not limited to sexual harassment, sensitivity training and ethics.
 - (3) Starting with the 2006 renewal cycle, a minimum of 12 hours per biennium of continuing education in the field of acupuncture if the chiropractic physician is engaged in the practice of acupuncture. Continuing education hours in the field of acupuncture earned between December 31, 2003, and June 30, 2004, up to a maximum of 12 hours may be used to satisfy licensure renewal requirements for either the 2004 or 2006 renewal cycle. The licensee may use the earned continuing education credit hours only once. Credit can not be duplicated for both the 2004 and 2006 compliance periods.
 - (4) Classes on child abuse, dependent adult abuse, and OSHA training that meet the criteria in subrule 44.3(1). These classes are approved by the board and do not require prior approval or postapproval.
- b. Continuing education hours of credit may be obtained by:
 - (1) Teaching at a Council on Chiropractic Education (CCE) or board of chiropractic examiners-approved institution. Hours may be used only for the initial session and shall have prior board approval.
 - (2) Completing electronically transmitted programs/activities or home study programs/activities that have a certificate of completion.

44.3(3) Specific criteria for presenters and sponsors.

- a. All continuing education program sponsors must disclose in writing to participants the names of all instructors/presenters that are affiliated or employed by any entity selling or promoting products.
- b. All instructors/presenters of a continuing education activity must include, as part of the continuing education activity, verbal and written statements to the participants regarding any affiliations or employment relationships with any entity promoting, developing or marketing products, services, procedures or treatment methods.

645—44.4(151) Approval of sponsors, programs, and activities for continuing education.

44.4(1) *Approval of sponsors.* An applicant who desires approval as a sponsor of courses, programs, or other continuing education activities shall, unless exempted elsewhere in these rules, apply for approval to the board on the form designated by the board stating the applicant's educational history for the preceding two years or proposed plan for the next two years.

a. The form shall include:

- (1) Date(s), location, course title(s) offered and outline of content;
- (2) Total hours of instruction to be presented;
- (3) Names and qualifications of instructors including résumés or vitae; and
- (4) Evaluation form(s).

b. Records shall be retained by the sponsor for four years.

c. Attendance record report. The person or organization sponsoring an approved continuing education activity shall provide a certificate of attendance or verification to the licensee providing the following information:

- (1) Program date(s);
- (2) Course title and presenter;
- (3) Location;
- (4) Number of clock hours attended and continuing education hours earned;
- (5) Name of sponsor and sponsor number;
- (6) Licensee's name; and
- (7) Method of presentation.

d. All approved sponsors shall maintain a copy of the following for a minimum of four years from the date of the continuing education activity:

- (1) The continuing education activity;
- (2) List of enrolled licensees' names and license numbers; and
- (3) Number of continuing education clock hours.

e. The sponsor shall submit a report of all continuing education programs conducted in the previous year during the assigned month for reporting designated by the board. The report shall include:

- (1) Date(s), location, course title(s) offered and outline of content;
- (2) Total hours of instruction presented;
- (3) Names and qualifications of instructors including résumés or vitae;
- (4) A sample of the evaluation form(s); and
- (5) A summary of the evaluations as completed by the licensees.

44.4(2) *Prior approval of programs/activities.* An organization or person other than an approved sponsor that desires prior approval of a course, program or other educational activity or that desires to establish approval of such activity prior to attendance shall apply to the board for approval on a form provided by the board at least 60 days in advance of the commencement of the activity. The board shall approve or deny such application in writing within 30 days of receipt of such application. Requirements set forth in subrule 44.4(1) shall also apply to prior approval of programs/activities. The application shall state:

- a.* The date(s);
- b.* Course(s) offered;
- c.* Course outline;
- d.* Total hours of instruction; and
- e.* Names and qualifications of speakers and other pertinent information.

The organization or person shall be notified of approval or denial by ordinary mail.

44.4(3) *Review of programs.* Continuing education programs/activities shall be reported every year at the designated time as assigned by the board. The board may at any time reevaluate an approved sponsor. If, after reevaluation, the board finds there is cause for revocation of the approval of an approved sponsor, the board shall give notice of the revocation to that sponsor by certified mail. The sponsor shall have the right to hearing regarding the revocation. The request for hearing must be sent within 20 days after the receipt of the notice of revocation. The hearing shall be held within 90 days after the receipt of the request for hearing. The board shall give notice by certified mail to the sponsor of the date set for the hearing at least 30 days prior to the hearing. The board shall conduct the hearing in compliance with rule 645—11.9(17A).

44.4(4) *Postapproval of activities.* A licensee seeking credit for attendance and participation in an educational activity which was not conducted by an approved sponsor or otherwise approved shall submit to the board, within 60 days after completion of such activity, the following:

- a. The date(s);
- b. Course(s) offered;
- c. Course outline;
- d. Total hours of instruction and credit hours requested;
- e. Names and qualifications of speakers and other pertinent information;
- f. Request for credit which includes a brief summary of the activity; and
- g. Certificate of attendance or verification.

Within 90 days after receipt of such application, the board shall advise the licensee in writing by ordinary mail whether the activity is approved and the number of continuing education hours allowed. A licensee not complying with the requirements of this subrule may be denied credit for such activity.

44.4(5) *Voluntary relinquishment.* The approved sponsor may voluntarily relinquish sponsorship by notifying the board office in writing.

645—44.5(272C) *Reporting continuing education by licensee.* At the time of license renewal, each licensee shall be required to submit a report on continuing education on a board-approved form.

44.5(1) The information on the form shall include:

- a. Title of continuing education activity;
- b. Date(s);
- c. Sponsor of the activity;
- d. Board-approved sponsor number;
- e. Number of continuing education hours earned; and
- f. Teaching method used.

44.5(2) Audit of continuing education report. After each educational biennium, the board will audit a percentage of the continuing education reports before granting the renewal of licenses to those being audited.

- a. The board will select licensees to be audited.
- b. The licensee shall make available to the board for auditing purposes a certificate of attendance or verification for all reported activities that includes the following information:

- (1) Date(s), location, course title, schedule (brochure, pamphlet, program, presenter(s)), and method of presentation;
- (2) Number of clock hours for program attended; and
- (3) Indication of successful completion of the course.

- c. For auditing purposes, the licensee must retain the above information for four years.
- d. Submission of a false report of continuing education or failure to meet continuing education requirements may cause the license to lapse and may result in formal disciplinary action.

e. All renewal license applications that are submitted late (after the end of the compliance period) may be subject to audit of continuing education report.

f. Failure to receive the renewal application shall not relieve the licensee of responsibility of meeting continuing education requirements and submitting the renewal fee by the end of the compliance period.

645—44.6(272C) Reinstatement of lapsed license.

44.6(1) Failure by the licensee to renew within 30 days after the expiration date shall cause the license to lapse. A person who allows the license to lapse shall not engage in practice in Iowa without first complying with all regulations governing reinstatement as outlined in the board rules. A person who allows the license to lapse must apply to the board for reinstatement of the license. Reinstatement of the lapsed license may be granted by the board if the applicant:

- a.* Submits a written application for reinstatement to the board;
- b.* Pays all renewal fees;
- c.* Pays the late fee which has been assessed by the board for failure to renew;
- d.* Pays the reinstatement fee;
- e.* Has a personal interview with the board at the board's request; and
- f.* Provides verification of license(s) from every state in the United States and the District of Columbia in which the licensee has practiced since the Iowa license lapsed.

44.6(2) If the license has been lapsed for two bienniums or less, the licensee shall, in addition to meeting the requirements of 44.6(1), provide evidence of one of the following:

- a.* Satisfactory completion of board-approved continuing education requirements during the period since the license lapsed. The total number of continuing education hours required for license reinstatement is computed by multiplying 60 by the number of bienniums since the license lapsed; or
- b.* Current full-time practice in another state of the United States or the District of Columbia and completion of the continuing education requirement of that state.

44.6(3) If the license has been lapsed for three or more bienniums, the applicant shall meet the requirements of 44.6(1) and the following criteria shall apply:

a. If the applicant provides evidence of a current license and proof of active practice in another state of the United States or the District of Columbia during the immediately preceding five years, the applicant shall comply with the requirements of subrule 44.6(2).

b. If the applicant does not have a current license in another state of the United States or in the District of Columbia and cannot provide evidence of active practice in the United States during the immediately preceding five years, the applicant shall provide:

(1) Evidence of satisfactory completion of board-approved continuing education during the period since the license lapsed. The total number of continuing education hours required for license reinstatement is computed by multiplying 60 by the number of bienniums since the license lapsed to a maximum of three bienniums or 180 hours; and

(2) Evidence of successful completion of the SPEC examination within one year prior to reinstatement.

645—44.7(272C) Continuing education waiver for active practitioners. A chiropractic physician licensed to practice as a chiropractic physician shall be deemed to have complied with the continuing education requirements of this state during the period that the licensee serves honorably on active duty in the military services or as a government employee outside the United States as a practicing chiropractic physician.

645—44.8(272C) Continuing education exemption for inactive practitioners. A licensee who is not engaged in practice in the state of Iowa may be granted an exemption of continuing education compliance and obtain a certificate of exemption upon written application to the board. The application shall contain a statement that the applicant will not engage in practice in Iowa without first complying with all regulations governing reinstatement after exemption. The application for a certificate of exemption shall be submitted upon forms provided by the board. The licensee shall have completed the required continuing education at the time of reinstatement.

645—44.9(272C) Continuing education exemption for disability or illness. The board may, in individual cases involving disability or illness, grant exemptions of the minimum continuing education requirements or extension of time within which to fulfill the same or make the required reports. No exemption or extension of time shall be granted unless written application therefor is made on forms provided by the board and signed by the licensee and appropriate licensed health care practitioners. The board may grant an exemption of the minimum continuing education requirements for any period of time not to exceed one calendar year from the onset of disability or illness. In the event that the disability or illness upon which an exemption has been granted continues beyond the period of exemption, the licensee must reapply for an extension of the exemption. The board may, as a condition of any exemption granted, require the applicant to make up a certain portion or all of the minimum continuing education requirements exempted by such methods as may be prescribed by the board.

645—44.10(272C) Reinstatement of inactive practitioners. Inactive practitioners who have been granted a waiver of compliance with these rules and obtained a certificate of waiver shall, prior to engaging in the practice of chiropractic in the state of Iowa, satisfy the following requirements for reinstatement.

44.10(1) Submit written application for reinstatement to the board upon forms provided by the board;

44.10(2) Submit payment of the current renewal fee;

44.10(3) Submit payment of the reinstatement fee; and

44.10(4) Provide verification(s) of license(s) from every state in the United states and the District of Columbia in which the licensee has practiced since the Iowa license lapsed;

44.10(5) If the license has been inactive for two bienniums or less, furnish in the application evidence of one of the following:

a. Satisfactory completion of board-approved continuing education requirements during the period since the license became inactive. The total number of continuing education hours required for license reinstatement is computed by multiplying 60 by the number of bienniums since the license became inactive; or

b. Current full-time practice in another state of the United States or in the District of Columbia and completion of the continuing education requirement of that state.

44.10(6) If the license has been inactive for three or more bienniums, the following criteria shall apply:

a. If the applicant provides evidence of a current license and proof of active practice in another state of the United States or in the District of Columbia during the immediately preceding five years, the applicant shall comply with the requirements of subrule 44.10(5).

b. If the applicant does not have a current license in another state of the United States or in the District of Columbia and cannot provide evidence of active practice in the United States during the immediately preceding five years, the applicant shall provide:

(1) Evidence of satisfactory completion of board-approved continuing education during the period since the license lapsed. The total number of continuing education hours required for license reinstatement is computed by multiplying 60 by the number of bienniums since the license became inactive to a maximum of three bienniums or 180 hours; and

(2) Evidence of successful completion of the SPEC examination within one year prior to reinstatement.

645—44.11(272C) Hearings. In the event of denial, in whole or part, of any application for approval of a continuing education program or credit for continuing education activity, the applicant or licensee shall have the right within 20 days after the sending of the notification of denial by ordinary mail to request a hearing which shall be held within 90 days after receipt of the request for hearing. The hearing shall be conducted by the board or an administrative law judge designated by the board, in substantial compliance with the hearing procedure set forth in rule 645—11.9(17A).

These rules are intended to implement Iowa Code section 272C.2 and chapter 151.

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